

REMARKS

In accordance with the foregoing, claims 1-11 and 36 have been amended. Claims 1-11, 27-31, 36, and 37 are pending, with claims 1 and 27 being independent. No new matter is presented in this Supplemental Amendment.

Applicants' Statement of Substance of Interview

A personal interview was conducted on May 15, 2008, and was attended by Examiner Aristotelis M. Psitos, the undersigned attorney, inventor Kyung-geun Lee, and Kwan-shik Yang, an assistant engineer for Samsung Electronics Co., Ltd., the assignee of the present application. At the conclusion of the interview, the Examiner provided the applicants with an Interview Summary for the interview. A substantially identical copy of the Interview Summary is in the image file wrapper of the application coded as "Office Action Appendix" with a date of May 19, 2008. The applicants' statement of the substance of the interview required by MPEP 713.04 is as follows.

The Interview Summary in the image file wrapper of the application states as follows:

Applicant's representative presented arguments to further define the invention and distinguish over the cited prior art. Additional argument(s) focused on the phrase "user data area" and how such a phrase is interpreted by the those skilled in the art. Subsequent argument(s) may be filed to further stress such.

In the Interview Summary that the Examiner gave to the applicants at the conclusion of the interview, the Examiner refers to "the cited references," rather than to "the cited prior art."

During the interview, the Examiner first noted that the applicants had changed "information storage medium" to "computer-readable medium" in claims 1-11 and 36 as required by the Examiner in the explanation of the rejection of claims 1-11 under 35 USC 101 as being directed to non-statutory subject matter in the Office Action of November 30, 2007. However, the Examiner said that upon further review of the specification of the present application, particularly paragraph [0035], it appeared that this change might not have been necessary, and asked the applicants to comment on this.

The attorney explained that one aspect of the invention relates to an information storage medium comprising a user data area and an additional data area with the sync pattern features

recited, for example, in independent claim 1. The attorney explained that another aspect of the invention relates to a recording and/or reproducing apparatus that uses this information storage medium, and that a controller of such an apparatus may be implemented using a computer program encoded on a computer-readable medium as described, for example, in paragraph [0035] of the specification referred to by the Examiner.

The Examiner said that in light of this explanation provided by the attorney, the applicants might want to consider amending claims 1-11 and 36 to change "computer-readable medium" back to "information storage medium" to be consistent with what the applicants consider their invention to be.

The Examiner said that it was unclear to him why Table 2 was amended on page 4 of the Amendment of February 29, 2008, to change "010 001 000 1" to "001 001 000 1." The attorney explained that this change was made to correct a typographical error as explained detail on page 16 of the Amendment of February 29, 2008.

The attorney briefly discussed the arguments on pages 17-19 of the Amendment of February 29, 2008, traversing the objection to claims 11 and 28-31 under 37 CFR 1.175(c) as being of improper dependent form for failing to further limit the subject matter of a previous claim.

With respect to the arguments on pages 25-34 of the Amendment of February 29, 2008, traversing the rejections of claims 1-11 and 27-31 over the prior art set forth on pages 5-9 of the Office Action of November 30, 2007, the attorney pointed out that independent claims 1 and 27 recite "a user data area" and "an additional data area," and that the Examiner had interpreted various areas disclosed in the various references relied on by the Examiner in the Office Action of November 30, 2007, as corresponding to these areas in claims 1 and 27. However, the attorney pointed out that one of ordinary skill in the art would consider most, if not all, of the various areas referred to by the Examiner to be user data areas, and that there is no basis in the references for the Examiner's interpretation of some of these user data areas as being "an additional data area" as recited in claims 1 and 27.

Mr. Lee, who, as indicated above, is one of the inventors, also explained that one of ordinary skill in the art would understand the term "user data area" recited in claims 1 and 27 to refer to a sector for storing data that is accessible to a user and has been encoded with an error-correcting code (ECC).

Submission of English Translation of Priority Application

Pursuant to 37 CFR 1.55(a) and MPEP 201.15, submitted herewith is a Submission of English Translation of Priority Document submitting an English translation of Korean Patent Application No. 2002-78167 filed on December 10, 2002, and a Certification of Translation containing a statement that the English translation is accurate to perfect the applicants' claim for foreign priority under 35 USC 119(a)-(d). It is submitted that claims 1-11, 27-31, 36, and 37 are supported by Korean Patent Application No. 2002-78167. A certified copy of Korean Patent Application No. 2002-78167 was filed on September 30, 2003, in the present application.

Request for Consideration of Information Disclosure Statement

An Information Disclosure Statement was filed on May 28, 2008, and it is respectfully requested that the Information Disclosure Statement be considered.

Attached hereto is a List of References Cited by Applicant listing WO 02/052551, which was cited in the Information Disclosure Statement of May 28, 2008, referred to above, but was incorrectly listed as WO 2/052551 in the List of References Cited by Applicant included in the Information Disclosure Statement of May 28, 2008.

Error in the Amendment of February 29, 2008

New claim 36 was added on page 13 of the Amendment of February 29, 2008, but inadvertently included underlining and strikethrough to show "information storage" being changed to "computer-readable." Claim 36 should have read "The computer-readable medium of claim 11," without any underlining and strikethrough.

Claim Amendments

Claims 1-11 and 36 have been amended to change "computer-readable medium" back to "information storage medium" as suggested by the Examiner during the personal interview of May 15, 2008, as discussed above.

Conclusion

For at least the reasons set forth in the Amendment of February 29, 2008, the reasons discussed during the personal interview of May 15, 2008, and the reasons set forth above, it is respectfully requested that all of the various objections and rejections set forth in the Office Action of November 30, 2007, be withdrawn.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this paper, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

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Date: 06/05/08

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